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Attorneys for Certain Direct Lenders

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
Debtor.

USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

USA SECURITIES, LLC,  
Debtor.

Affects:  
☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

Chapter 11

**ERRATA TO DIRECT LENDERS'  
MOTION FOR RELIEF FROM  
THE AUTOMATIC STAY --  
§362 INFORMATION SHEET  
(AFFECTS USA COMMERCIAL  
MORTGAGE CO.)**

Old Hearing Date: June 5, 2006  
New Hearing Date: June 15, 2006  
Hearing Time: 9:30 am

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1 On May 11, 2006, certain Direct Lenders filed a Motion for Relief from the Automatic  
2 Stay, and inadvertently the §362 Information Sheet was omitted from the Exhibits. Attached is  
3 the §362 Information Sheet, which is Exhibit 6 to the Motion.

4 DATED this 6<sup>th</sup> day of June, 2006.

5 JONES VARGAS

6  
7 By: //s// Janet L. Chubb  
8 JANET L. CHUBB, ESQ.  
9 LOUIS M. BUBALA, ESQ.

10 Attorneys for Certain Direct Lenders  
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## \* \* § 362 INFORMATION SHEET \* \*

USA Commercial Mortgage Company  
 DEBTOR  
 Certain Direct Lenders  
 MOVANT

BK-S-06-10725-LBR  
 BANKRUPTCY # MOTION #  
 CHAPTER: 11

**Certification of Attempt to Resolve the Matter Without Court Action**

*Moving counsel hereby certifies that pursuant to the requirements of LR 4001(a)(5), an attempt has been made to resolve the matter without court action, but movant has been unable to do so.*

Date: 6/6/06 Signature: //s// Janet L. Chubb

PROPERTY INVOLVED IN THIS MOTION: various real property securing direct loans brokered by Debtors  
 NOTICE SERVED ON: Debtor(s); Debtor's counsel xx; Trustee;  
 DATE OF SERVICE: 5-11-06

**MOVING PARTY'S CONTENTIONS:**

The EXTENT and PRIORITY of LIENS:

1st unknown-but not relevant  
 2nd  
 3rd  
 4th  
 Other

Total Encumbrances: unknown.

APPRAISAL of OPINION as to VALUE:

This motion is not based on lack of equity in the property

**DEBTOR'S CONTENTIONS:**

The EXTENT and PRIORITY of LIENS:

1st  
 2nd  
 3rd  
 4th  
 Other:

Total Encumbrances

APPRAISAL of OPINION as to VALUE:

**TERMS of MOVANT'S CONTRACT with the DEBTOR(S):**

Amount of Note: various  
 Interest Rate: various  
 Duration:  
 Payment per Month: unknown  
 Date of Default: unknown  
 Amount in Arrears: unknown  
 Date of Notice of Default: n/a.

SPECIAL CIRCUMSTANCES: These various deeds of trust held by certain direct lenders have not been properly handled by the Debtors as the service agent for the loans involved. Debtors have admitted their failure. Since these deeds of trust secure loans the movants made directly to the borrowers, they are not part of the bankruptcy estate and relief from the automatic stay should be granted.

SUBMITTED BY: Janet L. Chubb

SIGNATURE: //s// Janet L. Chubb

**DEBTOR'S OFFER of "ADEQUATE PROTECTION" for MOVANT:**

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SPECIAL CIRCUMSTANCES:

SUBMITTED BY:

SIGNATURE:

**CERTIFICATE OF SERVICE**

1. On June 6, 2006, I served the following document(s):

**ERRATA TO DIRECT LENDERS' MOTION  
TO OBTAIN RELIEF FROM AUTOMATIC STAY  
-- §362 INFORMATION SHEET  
(AFFECTS USA COMMERCIAL CO.)**

2. I served the above-named document(s) by the following means to the persons as listed below:

: a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

- **FRANKLIN C. ADAMS**  
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8 : b. **United States mail, postage fully prepaid** (list persons and addresses):

9 **JOSHUA D BRYSK**  
10 LAW OFFICES OF JAMES G SCHWARTZ  
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**WILLIAM E WINFIELD**

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9 c. **Personal Service** (list persons and addresses):  
I personally delivered the document(s) to the persons at these addresses:

9 For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

9 For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

9 d. **By direct email (as opposed to through the ECF System)** (list persons and email addresses):

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

9 e. **By fax transmission** (list persons and fax numbers):

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

9 f. **By messenger:**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed blow and providing them to

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a messenger for service. (A declaration by the messenger must be attached to this Certificate of Service).

**I declare under penalty of perjury that the foregoing is true and correct.**

DATED this 6<sup>th</sup> day of June, 2006.

J. Englehart & Tawney Waldo  
Name

//s// Tawney Waldo & J. Englehart  
Signature

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